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In re Application of	:	
KALMAN et al.	:	
Application No.: 10/586,382	:	DECISION ON PETITION
PCT No.: PCT/US2005/001710	:	UNDER 37 CFR 1.137(b)
Int. Filing Date: 20 January 2005	:	
Priority Date: 21 January 2004	:	
Attorney Docket No.: 007157/314050	:	
For: COMPOSITIONS AND USE OF	:	
TYROSINE KINASE INHIBITORS TO	:	
TREAT PATHOGENIC INFECTION	:	

The petition to revive under 37 CFR 1.137(b) filed 15 May 2009 in the above-captioned application is hereby **GRANTED** as follows:

The above-identified application became abandoned for failure to file a proper reply in a timely manner to the Notice of Missing Requirements mailed 05 June 2008, which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned at midnight on 05 August 2008.

The present petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that it was accompanied by (1) the required reply, in the form of continuation application no. 12/343,764;<sup>1</sup> (2) the petition fee; and (3) the required statement of unintentional delay. Accordingly, the response to the Notice of Missing Requirements dated 05 June 2008 (i.e., the filing of continuation application no. 12/343,764) is accepted as having been unintentionally delayed.

The present U.S. application is being revived for purposes of continuity only and since continuity has been established by this decision reviving the application, the application is again abandoned in favor of the continuing application number 12/343,764.

This application is being referred to the Office of Initial Patent Examination for

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<sup>1</sup>The filing of a continuation application under 35 U.S.C. 111(a) is acceptable as the appropriate response under 37 CFR 1.137(b). See MPEP § 711.03(c).

further processing. The extension of time fee submitted with the present petition has been refunded to counsel's deposit account.

A handwritten signature in black ink, appearing to read "Anthony Smith", with a stylized flourish at the end.

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